

Filed: October 16, 2015

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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**BRIEFING ORDER - CIVIL CROSS APPEAL**

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No. 15-2184 (L), Brian Eisen v. DCG&T  
3:14-cv-00067-JAG

Brian Eisen shall be considered the appellant for the purposes of this briefing schedule. Briefing shall proceed on the following schedule:

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Appendix due: 11/25/2015

Opening brief due: 11/25/2015

Opening/response brief due: 12/28/2015

Response/reply brief due: 02/01/2016

Reply brief permitted within 14 days of service of response/reply brief.

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The briefs and appendix must conform to the [Fourth Circuit Brief & Appendix Requirements](#) (available as a link from this order and at [www.ca4.uscourts.gov](http://www.ca4.uscourts.gov)). All parties to a side must join in a single brief, even in consolidated cases, unless the court has granted a motion for leave to file separate briefs pursuant to Local Rules 28(a) and 28(d).

If a case has not been scheduled for a mediation conference, but counsel believes such a conference would be beneficial, counsel should contact the Office of the Circuit Mediator directly at 843-521-4022, and a mediation conference will be scheduled. In such a case, the reason for scheduling the conference will be kept confidential.

Failure to file an opening brief within the scheduled time will lead to dismissal of the case pursuant to Local Rule 45 for failure to prosecute; failure to file a response brief will result in loss of the right to be heard at oral argument and may lead to imposition of sanctions if counsel has failed to comply with the court's directives. The court discourages motions for extension of time and grants extensions of the briefing schedule only in extraordinary circumstances upon a showing of good cause. Local Rule 31(c). If a brief is filed after its due date, the time for filing subsequent briefs will be extended by the number of days the brief was late.

Pursuant to Local Rule 34(a), the court may, on its own initiative and without prior notice, screen an appeal for decision on the parties' briefs without oral argument. If a case is selected for the oral argument calendar, counsel will receive notice that the case has been tentatively calendared for a specific court session approximately two month in advance of the session.

/s/ PATRICIA S. CONNOR, CLERK

By: Cathi Bennett, Deputy Clerk